

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

JAMES E. SYKES §
VS. § CIVIL ACTION NO. 9:18-CV-88
CECILIA C. OKOYE, ET AL. §

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff James E. Sykes, a prisoner previously confined at the Eastham Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Cecilia C. Okoye, Mark Roberts, Ruth E. Brouwer, Maria Turner, Millicent C. Adikaibe, Kamal Simmons, and Rhonda Ware.

The court ordered that this matter be referred to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends granting plaintiff's motion to dismiss defendants Millicent Adikaibe, Rhonda Ware, and Kamal Simmons from this action.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge (document no. 26) is **ADOPTED**. Plaintiff's motion to dismiss (document no. 22) is **GRANTED**, and defendants Millicent Adikaibe, Rhonda Ware, and Kamal Simmons are **DISMISSED** from this action. The motion to dismiss filed by defendants Kamal Simmons and Rhonda Ware (document no. 15) is **DENIED** as moot.

So **ORDERED** and **SIGNED** March 11, 2019.



Ron Clark, Senior District Judge